

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

DEANNA SCOTT,

Plaintiff,

v.

No. 4:23-cv-0011-P

ELLIOTT WINDSPRINT, ET AL.,

Defendants.

ORDER ACCEPTING FINDINGS, CONCLUSIONS, AND
RECOMMENDATION OF THE
UNITED STATES MAGISTRATE JUDGE

The United States Magistrate Judge issued Findings, Conclusions, and a Recommendation (“FCR”) in this case. ECF No. 50. The FCR recommends that the Court grant Defendants’ Motion to Dismiss Plaintiff’s Complaint. *Id.* at 1. Plaintiff failed to file timely objections to the Magistrate Judge’s FCR. The Court accordingly conducts a plain error review of the FCR.

This case arises from Plaintiff’s trial before a Justice of the Peace which resulted in her eviction. She then removed the action to this Court, alleging constitutional and consumer protections violations which purportedly occurred at trial. Defendants moved to dismiss, contending that this Court lacks any form of subject matter jurisdiction over the case.

Having reviewed the Magistrate Judge’s FCR for plain error, the Parties’ respective Motions, and the applicable law, the Court finds no error in the Magistrate Judge’s conclusions that this Court lacks subject matter jurisdiction to hear Plaintiff’s claims.

Thus, for the reasons stated in the Magistrate Judge’s FCR, this Court concludes that Plaintiff’s claims fail as a matter of law and must be **DISMISSED without prejudice**. This Court **AFFIRMS** the Magistrate’s ruling (ECF No. 50), **ADOPTS** the FCR’s reasoning, and

GRANTS Defendants' Motions to Dismiss (ECF No. 23).

SO ORDERED on this **25th day of July 2023**.

A handwritten signature in blue ink that reads "Mark T. Pittman". The signature is fluid and cursive, with the first name "Mark" and last name "Pittman" clearly legible, and "T." in the middle.

MARK T. PITTMAN
UNITED STATES DISTRICT JUDGE